

Notice of Allowability

Application No.

09/878,824

Applicant(s)

GONG ET AL.

Examiner

Art Unit

Pramila Parthasarathy

2136

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Interview held on March 07, 2006.
2. ☒ The allowed claim(s) is/are 1-4,6-11,15-20, 23, 24, 27, 30-42,44 and 45; Renumbered as 1-34.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

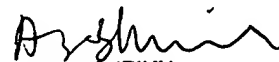
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 42.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.


AYAZ SHEIKH
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114.
2. Applicant's submission filed on February 03, 2006 has been entered and made of record.

Response to Arguments

3. Applicant's arguments filed 2/3/2006, interview held on 3/07/2006 and applicant's amendment to Claims 1 – 4, 6, 8, 9, 15 – 19, 23, 24, 27, 30 – 40, and 42, have been fully considered and the rejections on claims 1 – 4, 6 – 11, 15 – 20, 23, 24, 27, 30 – 42, 44 and 45, have been withdrawn. Applicant amends Claims 18, 19 and cancels Claim 43.

Allowable Subject Matter

4. Claims 1 – 4, 6, 7 – 11, 15 – 20, 23, 24, 27, 30 – 42, 44 and 45 are allowed and are renumbered as 1 – 34.

5. The following is an examiner's statement of reasons for allowance: The Admitted prior art Cunningham et al. U.S. Patent 6,219,786, discloses a method for monitoring and controlling network access includes non-intrusively monitoring network traffic and assembling data packets that are specific to individual node-to-node transmissions in order to manage network access both inside and outside of a network with proprietary proxy server, a firewall or other network node that is acting as a gateway between the network and an external network; and Reshef et al. U.S. Patent 6,321,337, discloses a security gateway system positioned between an external, untrusted computing environment and an internal, trusted computing environment that protects a computer, a computer resource, a network or sub-network from computer security policy breaches and from attacks such as intrusions that exploit an operating system to damage files, flood buffers, or activate an application-program bug that compromises the confidentiality of performance of the application.

However, the admitted prior arts taken independently or in combination, do not disclose, teach or suggest "a proxy server configured to receive incoming network service requests from the client and to forward said requests pursuant to a tolerance protocol to the protected servers; a network link connecting the proxy server to the

protected servers and configured to forward the incoming network service requests to the protected servers; at least two acceptance monitors configured to receive from the protected servers respective responses and to apply respective acceptance tests thereto, the respective responses generated at the protected servers in response to the incoming network service request and providing redundancy for the intrusion tolerant network; and a ballot monitor configured to receive from the acceptance monitors respective results of the applied acceptance tests and to determine a preferred response based on the respective results of the acceptance monitors to forward to the proxy server for transmission to the service-requesting client; an intrusion sensor responsive to anomalies in operation of the network for and configured to detect threats to the network; and an adaptive reconfigurer configured to alter the tolerance protocol and to reconfigure a network forwarding scheme among the proxy servers, acceptance monitors and the ballot monitor in response to a predetermined condition.

6. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in telephone interview with Ronald A. Rudder, Ph.D., registration number 45,618 on March 07, 2006.

IN THE CLAIMS:

18. (Amended) A method for reconfiguring communication among network components to minimize the impact of an intrusive event on plural protected servers, comprising:

receiving an incoming network service requests from a service requesting client and forwarding the request pursuant to a tolerance protocol to the plural protected servers;

generating respective responses to the incoming network service request and forwarding the respective responses, the respective responses generated in response to the incoming network service request in order to provide redundancy;

applying at least two acceptance monitors respective acceptance tests to the respective responses and forwarding respective acceptance test results;

analyzing the acceptance test results, by a ballot monitor, to determine a preferred response based on the respective acceptance test results; and

forwarding the preferred response to the service requesting client.

19. (Amended) A method for dynamically reconfiguring communication among network components pursuant to multiple tolerance protocol to minimize the impact of an intrusive event on plural protected servers, comprising:

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receiving an incoming network service requests from a service requesting client and forwarding the request pursuant to a tolerance protocol to respective ones of plural protected servers;

generating respective responses to the incoming network service request and forwarding the respective responses, the respective responses generated in response to the incoming network service request in order to provide redundancy;

applying at least two acceptance monitors respective acceptance tests to the respective responses and forwarding respective acceptance test results;

analyzing the acceptance test results by a ballot monitor to determine a preferred response based on the respective acceptance test results;

forwarding the preferred response to the service requesting client;

detecting any anomalies in operation of the network; and

revising the tolerance protocol and a network forwarding scheme in response to an anomaly in operation of the network,

wherein the revising the tolerance protocol and network forwarding scheme further comprises determining the ballot monitor that will be used to support a selected tolerance protocol.


43. (Cancelled)

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Pramila Parthasarathy whose telephone number is 571-272-3866. The examiner can normally be reached on Tuesday – Thursday 8:00a.m. To 3:00p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on 571-232-3795. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR only. For more information about the PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Pramila Parthasarathy
March 09, 2006.


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SUPERVISORY PATENT EXAMINER
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